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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,406	10/28/2003	John Arthur Stanyer	7336	9226

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EXAMINER

GALL, LLOYD A

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,406

Applicant(s)

STANYER, JOHN ARTHUR

Examiner

Lloyd A. Gall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Claims 1-11 are objected to because of the following informalities: In claim 1, line 8, ""means" should read --member--. In claim 9, line 2, "device" should read --means--. In claim 11, line 2, "means" should read --member--. The scope of claims 1-11 is unclear as to what structure is being positively claimed, and what is being only inferentially claimed. In claim 1, line 9, it is not clear whether a steering wheel is being claimed as a part of the "locking device" of claim 1, line 1, or if the steering wheel is being claimed only as an intended use. See claim 11, line 4 also. In claim 9, line 2, it is not clear what structure is being claimed and disclosed by an "anti-pick lock". Appropriate correction is required.

For purposes of the first Office action, claims 1-11 are currently being regarded as not positively claiming the steering wheel.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9 and 11 as understood are rejected under 35 U.S.C. 102(b) as being anticipated by Jahn (280).

Jahn teaches a locking device including a pedal attachment hook 52, a flexible chain 26, a locking means 60, wherein all components are formed of a high strength material as set forth in column 3, lines 55-60. With respect to claim 7, the chain links "can be"

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formed into a loop and secured with the padlock. The padlock is regarded as being an "anti-pick lock" as all locks are intended to prevent easy unauthorized opening thereof.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 11 as understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn (280) in view of Peterson.

Hahn teaches using a hook 52 with a flexible chain and padlock of a high strength material, as set forth above. Peterson teaches that it is well known to lock the topmost end of a chain to a steering wheel with a padlock. It would have been obvious to lock the top end of the chain of Jahn to a steering wheel, in view of the teaching of Peterson, the motivation being to prevent unauthorized steering wheel rotation.

Claims 2-6 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn in view of Peterson as applied to claim 1 above, and further in view of Latta (391).

Latta teaches wrapping the top end of a chain around a steering wheel. It would have been obvious to wrap the top end of the chain of Jahn as modified by Peterson around a steering wheel, in view of the teaching of Latta.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn in view of Peterson and Latta (391) as applied to claim 6 above, and further in view of Nolin.

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Nolin teaches looping a chain around a steering wheel and securing the links with a padlock. It would have been obvious to loop the chain of Jahn as modified by Peterson and Latta and securing the links with the padlock, in view of the teaching of Nolin.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828 and after April 2005 at 571-272-7056. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bagnell can be reached on 703-308-2151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LG LG
February 21, 2005


Lloyd A. Gall
Primary Examiner